

1 DARLENE C. VIGIL
State Bar No. 223442
2 BARRETT DAFFIN FRAPPIER
TREDER & WEISS, LLP
3 20955 Pathfinder Road, Suite 300
Diamond Bar, California 91765
4 (626) 915-5714 ~ Phone
5 (972) 661-7726 - Fax
File No. 7000342
6 sdcaecf@BDFGroup.com

7 Attorneys for Movant
NATIONSTAR MORTGAGE LLC

8 UNITED STATES BANKRUPTCY COURT
9
10 SOUTHERN DISTRICT OF CALIFORNIA

11 In re:
12 RICHARD ALLEN DHU
aka Sandra Dhu
13 aka Sandra G. Schwarzmenn

14 SANDRA SCHWARZMANN

15
16
17
18
19 Debtors.

CASE NO.: 17-01176-CL-13

CHAPTER: 13

R.S. NO.: EAT-1

STIPULATION RE: ADEQUATE
PROTECTION

DATE: October 11, 2017

TIME: 10:00 AM.

PLACE: U.S. Bankruptcy Court
325 West F Street
San Diego, CA

20
21 IT IS HEREBY STIPULATED by and between Movant NATIONSTAR MORTGAGE LLC

22 ("Movant"), through its attorneys of record, and David L. Speckman, attorneys for Debtors

23 Richard Allen Dhu and Sandra Schwarzmenn ("Debtor") as follows:
24

25 1. Movant is the beneficiary of a promissory note secured by a first priority deed of trust
26 recorded on March 29, 2007, as Instrument No. 2007-0212454 in the Office of the County Recorder of
27
28

1 San Diego County, California, encumbering that certain real property commonly known as **5125**
2 **BRIGHTON AVENUE, SAN DIEGO, CA 92107**, and legally described in the subject deed of trust.

3 2. Debtors shall cure the post-petition default computed from August 01, 2017 through and
4 including October 01, 2017 in the total amount of \$6,420.06, which consists of: three (3) payments at
5 \$1,860.24 each for the months of August 01, 2017 through and including October 01, 2017, less
6 suspense of \$191.66, plus attorney fees and costs in the amount of \$1,031.00, as follows:

7 A. Debtors shall pay the sum of \$1,070.01 per month commencing on November 15,
8 2017. Debtors shall continue to pay \$1,070.01 on the fifteenth (15th) day of each calendar month
9 thereafter through and including April 15, 2018.

10 3. In addition, Debtors shall pay their regular post-petition monthly mortgage installments
11 commencing on November 1, 2017 and continuing on the first (1st) day of each calendar month
12 thereafter during the pendency of this bankruptcy case. Payments must be received before the expiration
13 of any grace period allowed by the terms of the promissory note. The current monthly payment is
14 \$1,860.24, but is subject to change pursuant to the terms of the promissory note.
15

16 4. Funds should be sent and made payable to: **Nationstar Mortgage LLC, Attn.**
17 **Cashiering Department, PO Box 619094, Dallas, TX 75261-9741**, unless notified otherwise via
18 monthly statements and/or coupon books. The debtors' loan number should be notated on each
19 payment.
20

21 5. If any of the foregoing payments is not timely received, Movant shall serve written notice
22 upon the Debtors and Debtors' attorney, allowing Debtors fourteen (14) calendar days from the date of
23 service to cure their default. If Movant does not receive the amount in default before the expiration of
24 said fourteen-day period, movant may lodge and serve a Declaration re Failure to Cure Default and
25 proposed Order Granting Automatic Stay after seventy-two (72) hours telephonic notice to attorney for
26 Debtors.
27
28

1 6. The foregoing terms and conditions shall be binding only during the pendency of this
2 bankruptcy case. If, at any time, the stay is terminated by court order or by operation of law, the
3 foregoing terms and conditions shall cease to be binding and movant may proceed to enforce its
4 remedies under applicable non-bankruptcy law.

5 7. David L. Speckman, attorney for Debtors, shall be allowed attorney fees in the sum of
6 \$625.00 to be paid by the Chapter 13 Trustee through the administration of the plan as an administrative
7 expense.
8

9 SUBMITTED BY:

10 BARRETT DAFFIN FRAPPIER TREDER
11 & WEISS, LLP

12 /s/ Darlene C. Vigil
13 DARLENE C. VIGIL, ESQ.
14 Attorneys for Movant

Dated: 10/16, 2017

15 APPROVED AS TO FORM:

16 SPECKMAN & ASSOCIATES

17 
18 DAVID L. SPECKMAN
19 Attorneys for Debtor

Dated: 10/12, 2017